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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,594	10/30/2003	Hiroyuki Nagano	4686-001	7167
22429	7590	07/27/2007	EXAMINER	
LOWE HAUPTMAN BERNER, LLP			HARPER, TRAMAR YONG	
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SUITE 300			3714	
ALEXANDRIA, VA 22314			MAIL DATE	DELIVERY MODE
			07/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/696,594	NAGANO, HIROYUKI
	Examiner	Art Unit
	Tramar Harper	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 July 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5,8-10 and 20-26 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5,8-10 and 20-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The finality of the office action dated 4/17/07 has been withdrawn. Examiner acknowledges receipt of amendment filed 7/13/07. The arguments set forth are addressed herein below. Claims 1-5, 8-10, & 20-26 are pending, Claims 6-7 & 11-19 have been canceled, and Claims 1 & 8 have been amended.

Allowable Subject Matter

The indicated allowable subject matter of previous claims 7-9 is withdrawn in view of Parish et al (US 5,156,250) in view of Vogt et al (US 5,566,809). Rejections based on the above references is as follows:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Parish et al (US 5,156,250) in view of Watabe et al (US 5,505,289).

Claims 1, 8, & 20-21: Parish discloses a currency receiver for use within a vending machine. The vending machine including a cabinet, a door, a bill insertion slot and a bill guide (Figs. 1-12). The bill guide includes a plurality of slot openings for separating foreign matter or liquid from the currency (Abstract). Parish discloses such a bill receiver prevents customer tampering, vandalism, and malfunction of a vending machine (Col.

1:21-41). Parish discloses that the currency receiver can be used in any vending machine that accepts currency (Col. 2:40-52). Figs. 1-2, illustrate the bill guide enclosed in a mounting member. Parish discloses that liquid sometimes can enter the mechanisms of the vending machine and cause malfunction to occur. Furthermore, Parish clearly discloses the bill guide fixed to the mounting inserted into the notch of the control panel of the vending machine (Fig. 2). However, Parish fails to disclose a first open end covered by the bill guide plate and located under the openings of the bill guide plate for receiving the foreign matter dropped from said openings and a second open end located below and communicated with the first open end, second open end being opened downwards for directing the foreign matter further downwardly. Vogt discloses a bill validator comprising a mounting member or housing and a bill inlet slot wherein the mounting member comprises of a first open end or reservoir (14) covered by the bill validator and a second open end or conduit (32) located below and communicated with the first open end, second open end being opened downwards for directing the foreign matter further downwardly (Abstract, Col. 2:60-Col. 3:65, Figs. 1-3). It would have been obvious to one of ordinary skill in the art to modify the liquid diverting bill guide means of Parish, with the first and second open end of Vogt to provide a route or pathway to guarantee that foreign matter would not enter into areas where electrical components are maintained to prevent malfunctioning of such components (Vogt Col. 2:60-Col. 3:65).

Parish discloses clearly that the bill guide plate and mounting members are separate entities that make up an entire apparatus and therefore clearly indicate that

such entities can be attached or detached by the appropriate fasteners (Figs. 2-10). However, Parish in view of Vogt fails to disclose a bill guide plate wherein a protrusion is formed on a rear wall of the plate and a cylindrical protrusion, including an internal thread, is formed on the lower wall of the bill guide plate and also wherein a groove is formed in a rear inner wall of the first open end of the mounting member, and the protrusion of the bill guide plate is insertable into the groove and the bill guide plate is tilt able towards the mounting member in order to assemble the bill guide plate onto the mounting member. Furthermore, the bill guide plate is fixed to the mounting member by a single fixed screw inserted or engaged with the internal thread of the said cylindrical protrusion. However, Applicant has not disclosed that having a bill guide plate wherein a protrusion is formed on a rear wall of the plate and a cylindrical protrusion, including an internal thread, is formed on the lower wall of the bill guide plate and also wherein a groove is formed in a rear inner wall of the first open end of the mounting member, and the protrusion of the bill guide plate is insertable into the groove and the bill guide plate is tilt able towards the mounting member in order to assemble the bill guide plate onto the mounting member and the bill guide plate is fixed to the mounting member by a single fixed screw inserted or engaged with the internal thread of the said cylindrical protrusion provides an advantage or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Parish's bill guide which is clearly attachable and detachable to the mounting member, and applicant's invention, to perform equally well with either the separate bill acceptor members, as taught by Parish in view of Vogt, or the claimed, as described above, because both would perform the same functions of

being attachable and detachable and diverting liquid away from vulnerable entities within the machine.

Therefore, it would have been *prima facie* obvious to modify Parish in view of Vogt, such that the bill guide plate includes a protrusion on a rear wall of the plate and a cylindrical protrusion, including an internal thread, on the lower wall of the bill guide plate and a groove in a rear inner wall of the first open end of the mounting member, and the protrusion of the bill guide plate is insert able into the groove and the bill guide plate is tilt able towards the mounting member in order to assemble the bill guide plate onto the mounting member and the bill guide plate is fixed to the mounting member by a single fixed screw inserted or engaged with the internal thread of the said cylindrical protrusion because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Parish in view of Vogt.

Claims 2-3 & 22-23: Parish discloses that the slot openings of the bill guide are in a rectilinear formation and are parallel to each other. Partition members divide the slot openings into smaller slot openings (Figs. 3-4, & 10).

Claims 4 & 24: Referring to Figs. 3-4, & 10, the slot opening ((102) & (104)) lengths are smaller than the diameter of coin (Parish).

Claims 10 & 26: Vogt discloses the mounting member has a passage extending downward from the first open end to the second open end, being tapered as the passage extends downward (Figs. 1-3).

Claims 5 & 25: Parish discloses that the upper surface of the partition members closer to the bill insertion slot is lower than the upper surface of the partition members farther from the bill insertion slot and that the top surface of the separating walls are flush with each other (Figs. 3-7 bill guide is curved). Parish in view of Vogt meets the above limitations, but fails to disclose the upper surfaces of the partition members below a top surface of the bill guide plate. However, Applicant has not disclosed that the upper surfaces of the partition members below a top surface of the bill guide plate provides an advantage or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Parish's partition members, and applicant's invention, to perform equally well with either the partition members flush with the top surface, as taught by Parish in view of Vogt, or the claimed upper surfaces of the partition members below a top surface of the bill guide plate because both would perform the same functions of dividing the slot openings into smaller slot openings.

Therefore, it would have been *prima facie* obvious to modify Parish in view of Vogt, such that the upper surfaces of the partition members are below a top surface of the bill guide plate because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Parish in view of Vogt.

Response to Arguments

Applicant's arguments with respect to Claims 1-5, 8-10, & 20-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronald Laneau
Ronald Laneau
Primary Patent Examiner
Art Unit 3714

TH

07/19/07